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Subpoena in a Civil Case

JUL 23 2013

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Issued by the

UNITED STATES DISTRICT COURT

DISTRICT OF

MISSOURI

PHE, INC.

SUBPOENA IN A CIVIL CASE

V.

Does 1-96

Case Number:¹ 4:12-cv-02296

TO: Charter Communications, Inc.
 12405 Powerscourt Drive
 St Louis, MO 63131

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See attached Court Order, Topic List and Exhibit A

PLACE

Simmons Browder Gianaris Angelides & Barnerd, LLC; 231 S. Bemiston, Suite 525
 Clayton, MO 63105

DATE AND TIME

7/29/2013 10:00 am

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

5/15/2013

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Paul A. Lesko, Simmons Browder Gianaris Angelides & Barnerd, LLC; One Court Street, Alton, IL 62002; Phone: 618.259.2222; plesko@simmonsfirm.com

(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of issuance, state district under case number.

Diana Burgess

From: Moed_AutoSend@moed.uscourts.gov
Sent: Monday, April 29, 2013 3:23 PM
To: MOED_ECF_Notification@moed.uscourts.gov
Subject: Activity in Case 4:12-cv-02296-HEA PHE, Inc. v. Does 1-96 Docket Text Order

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of Missouri (LIVE)

Notice of Electronic Filing

The following transaction was entered on 4/29/2013 at 3:23 PM CDT and filed on 4/29/2013

Case Name: PHE, Inc. v. Does 1-96

Case Number: 4:12-cv-02296-HEA

Filer:

Document Number: 10(No document attached)

Docket Text:

Docket Text ORDER: Re: [4] MOTION for Leave to Take Discovery Prior to Rule 26(f) Conference by Plaintiff PHE, Inc.. ORDERED : GRANTED. Signed by District Judge Henry E. Autrey on 4/29/13. (CEL)

4:12-cv-02296-HEA Notice has been electronically mailed to:

Paul A. Lesko plesko@simmonsfirm.com, dburgess@simmonsfirm.com, ipdocketing@simmonsfirm.com, jbond@simmonsfirm.com, sburns@simmonsfirm.com

4:12-cv-02296-HEA Notice has been delivered by other means to:

JUL 23 2013

BY MAIL

Attention of Eastern District court of
Missouri

Court case: PHE, INC. v. does 1-96,

Court Case No 4:12-cv-02296

Charter Case Number: 13-1778

This is NOT an admission of guilt; I
anonymous object the Court case above. I
would like all my information withheld from
PHE, INC. This company is just filing
lawsuits just to do it.

<http://torrentlawyer.wordpress.com/2013/01/06/phe-inc-copyright-troll-joinder-issue-in-colorado/> this link supports my claim. I have
an attorney already scheduled to hear my
case. I notified my Internet provider to not
release my information for this accusation.



Charter Communications, Inc.
Legal Department
12405 Powerscourt Dr.
St. Louis, MO 63131
Fax: 314-909-0609

IMPORTANT LEGAL NOTICE: PLEASE READ CAREFULLY

June 10, 2013

OBJECTION DEADLINE

July 22, 2013, 4:00 pm CT

References Used In This Notice

- Court Case: PHE, Inc. (the "Plaintiff") v. Does 1-96, Court Case No. 4:12-cv-02296
- Court: United States District Court for the Eastern District of Missouri
- Copyrighted Work: "*Buffy the Vampire Slayer XXX: A Parody*"
- Identifying Information: Accountholder Name, Address(es), Email Address(es), IP log
- Charter Case Number: 13-1778
- Your ID Number: 11

Dear Sir or Madam:

Charter has received a subpoena from attorneys for the Plaintiff seeking certain information about your Charter internet account ("Account"), including the Identifying Information listed above. The Court has issued an order compelling Charter to disclose this information relating to your Charter Account. Charter respects the privacy of its subscribers, and will disclose customer information only to the extent required by law, as indicated in Charter's privacy policy on www.charter.com. Because a court order authorizes the Plaintiff to obtain this information, Charter must disclose these records unless you formally oppose disclosure in the Court by the objection deadline stated above. Copies of the court order and subpoena are attached, as well as any other documentation that may have been court-ordered to be provided with this notice.

Charter records indicate that an IP address listed on an exhibit to the subpoena was assigned to your Account at the given date and time. Below is a copy of the log that associates the IP with your Account in this format: IP Address – Modem MAC – CPE MAC – IP Lease Start Time – IP Lease End Time.
71.81.216.145 7c:b2:1b:9a:30:6a ec:1a:59:0c:04:7d 2012-10-01 18:22:56 2013-05-13 19:22:25

Please note: Charter cannot provide you legal representation and cannot object to the subpoena or court order on your behalf. If you wish to take action in this matter, you should contact an attorney immediately, who can advise you of your specific legal rights. If you intend to oppose the order, you should do so without delay in the court identified in the subpoena and order. **AN OBJECTION MADE SOLELY TO CHARTER IS INSUFFICIENT; OBJECTIONS MUST BE MADE DIRECTLY TO THE COURT. HOWEVER, CHARTER MUST BE NOTIFIED OF AN OBJECTION NO LATER THAN THE OBJECTION DEADLINE GIVEN ABOVE.**

If you file an opposition to the order, you or your attorney should provide a copy of the objection you submitted with the Court to Charter (attention "Legal – File-Sharing Team" via facsimile at 314-909-0609) by the objection deadline stated above so that Charter may withhold disclosure of your information. **PLEASE CLEARLY INDICATE IN YOUR COPY TO CHARTER (1) THAT YOUR OBJECTION WAS MADE TO THE COURT AND (2) PROVIDE YOUR NAME AND ADDRESS OR A COPY OF THIS LETTER, EVEN IF YOUR OBJECTION TO THE COURT IS ANONYMOUS. WITHOUT THIS INFORMATION CHARTER CANNOT WITHHOLD DISCLOSURE OF YOUR INFORMATION.**



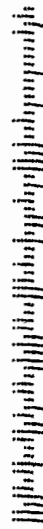
POSTAGE WILL BE PAID BY ADDRESSEE
JUL 23 2013 PM 03:02

111 South 10th Street
St. Louis, MO 63102

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